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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,050	07/31/2003	Michael R. Dennis	J-OAER.1017	3591

56703 7590 01/23/2007
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PORTLAND, OR 97202

EXAMINER

RAO, ANAND SHASHIKANT

ART UNIT	PAPER NUMBER
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2621

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/633,050	Applicant(s) DENNIS ET AL.	
	Examiner Andy S. Rao	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

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DETAILED ACTION

Specification

1. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Savoye et al., (hereinafter referred to as "Savoye").

Savoye discloses a multi-information-character surveillance imaging system (Savoye: figure 1) comprising: an optical, daytime, color video imager having an imaging axis (Savoye: column 48, lines 50-60), an optical, nighttime, light-intensified, black-and-white video imager having an imaging axis (Savoye: column 9, lines 45-65), a thermal imager having an imaging axis (Savoye: column 40, lines 40-60), and housing structure closely containing each of said imagers as an assembly in respective, cooperative, relative positions and conditions wherein they share a substantially common point of view (Savoye: column 20, lines 20-30), with said three imaging axes oriented whereby, they are substantially bore-sight aligned at infinity (Savoye: column 47, lines 20-45), as in claim 1.

Regarding claim 2, Savoye discloses that the system further includes computer-controllable (Savoye: column 10, lines 45-60; figure 1, element 35), motor-actuatable drive structure operatively and drivingly connected to said housing structure and contained imager assembly for producing selective and controlled surveillance-motion tracking via generally horizontal panning and general vertical tilting motions (Savoye: column 11, lines 45-65), as in the claim.

Savoye discloses a multi-information-character surveillance imaging method comprising furnishing plural different scene-imaging instrumentalities (Savoye: figure 16B), including an optical, daytime, color video imager (Savoye: column 48, lines 50-60), an optical, nighttime, light-intensified, black- and-white video imager (Savoye: column 9, lines 45-65), and a thermal imager, with each of these imagers possessing a respective imaging axis (Savoye: column 40, lines 40-60), assembling such imagers in a closely formed arrangement within a common, containing housing structure in a manner whereby the imagers share a substantially common point of view (Savoye: column 20, lines 20-30), with their respective imaging axes substantially bore-sight aligned at infinity (Savoye; column 47, lines 20-45), and selectively, including plurally and simultaneously, using these different imagers in such assembly to view a chosen scene (Savoye: column 11, lines 10-20), as in claim 3.

Regarding claim 4, Savoye discloses preparing the housing- structure-contained imager assembly for computer-controllable (Savoye: column 10, lines 45-60; figure 1, element 35), motor-driven surveillance-tracking motions, including generally horizontal panning and generally vertical tilting motions, and as part of said preparing, drivingly connecting the thus-

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contained imager assembly operatively to a user-operable computer (Savoye: column 11, lines 45-65), as in the claim.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (571)-272-7337. The examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571)-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andy S. Rao
Primary Examiner
Art Unit 2621

asr
January 16, 2007

ANDY RAO
PRIMARY EXAMINER
